

EXHIBIT “3”

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<u>EQUIPMENT FINANCE LLC</u>	:	CIVIL ACTION
	:	
v.	:	
	:	
CAROLYN HORN d/b/a	:	
<u>CAROLYN HORN USED EQUIPMENT</u>	:	NO. 09-2663

**PLAINTIFF EQUIPMENT FINANCE LLC'S
FIRST SET OF REQUESTS FOR ADMISSIONS ADDRESSED TO
DEFENDANT CAROLYN HORN d/b/a CAROLYN HORN USED EQUIPMENT**

Plaintiff Equipment Finance LLC ("EFI"), by and through its undersigned attorneys Lamm Rubenstone LLC, hereby serves its First Set of Requests for Admissions Addressed to Defendant Carolyn Horn d/b/a Carolyn Horn Used Equipment pursuant to Fed. R. Civ. P. 36.

Request for Admission No. 1

Please admit that you received Check No. 5404 dated on or about April 20, 2004 from EFI ("Check No. 5404") in the amount of \$57,500.00.

Request for Admission No. 2

Please admit that you endorsed Check No. 5404 in the amount of \$57,500.00.

Request for Admission No. 3

Please admit that you received Check No. 6756, dated on or about July 26, 2005 from EFI ("Check No. 6756") in the amount of \$73,500.00.

Request for Admission No. 4

Please admit that you endorsed Check No. 6756 in the amount of \$73,500.00.

Request for Admission No. 5

Please admit that you received Check No. 6806, dated on or about August 12, 2005 from EFI ("Check No. 6806") in the amount of \$27,000.00.

Request for Admission No. 6

Please admit that you endorsed Check No. 6806 in the amount of \$27,000.00.

Request for Admission No. 7

Please admit that you received Check No. 6860, dated on or about August 30, 2005 from EFI ("Check No. 6860") in the amount of \$40,000.00.

Request for Admission No. 8

Please admit that you endorsed Check No. 6860 in the amount of \$40,000.00.

Request for Admission No. 9

Please admit that you received a wire on or about September 13, 2005 from EFI in the amount of \$98,000.00.

Request for Admission No. 10

Please admit that you received Check No. 7072, dated on or about November 15, 2005 from EFI ("Check No. 7072") in the amount of \$73,000.00.

Request for Admission No. 11

Please admit that you endorsed Check No. 7072 in the amount of \$73,000.00.

Request for Admission No. 12

Please admit that you received Check No. 7152, dated on or about December 2, 2005 from EFI ("Check No. 7152") in the amount of \$69,500.00.

Request for Admission No. 13

Please admit that you endorsed Check No. 7152 in the amount of \$69,500.00.

Request for Admission No. 14

Please admit that you received Check No. 7240, dated on or about January 6, 2006 from EFI ("Check No. 7240") in the amount of \$110,000.00.

Request for Admission No. 15

Please admit that you endorsed Check No. 7240 in the amount of \$110,000.00.

Request for Admission No. 16

Please admit that you received Check No. 7295, dated on or about January 23, 2006 from EFI ("Check No. 7295") in the amount of \$66,250.00.

Request for Admission No. 17

Please admit that you endorsed Check No. 7295 in the amount of \$66,250.00.

Request for Admission No. 18

Please admit that you received Check No. 7322, dated on or about February 1, 2006 from EFI ("Check No. 7322") in the amount of \$27,500.00.

Request for Admission No. 19

Please admit that you endorsed Check No. 7322 in the amount of \$27,500.00.

Request for Admission No. 20

Please admit that you received Check No. 7390, dated on or about February 17, 2006 from EFI ("Check No. 7390") in the amount of \$101,350.00.

Request for Admission No. 21

Please admit that you endorsed Check No. 7390 in the amount of \$101,350.00.

Request for Admission No. 22

Please admit that you received Check No. 7431, dated on or about March 9, 2006 from EFI ("Check No. 7431") in the amount of \$65,000.00.

Request for Admission No. 23

Please admit that you endorsed Check No. 7431 in the amount of \$65,000.00.

Request for Admission No. 24

Please admit that you received Check No. 7434, dated on or about March 9, 2006 from EFI ("Check No. 7434") in the amount of \$30,000.00.

Request for Admission No. 25

Please admit that you endorsed Check No. 7434 in the amount of \$30,000.00.

Request for Admission No. 26

Please admit that you received Check No. 7526, dated on or about April 11, 2006 from EFI ("Check No. 7526") in the amount of \$44,000.00.

Request for Admission No. 27

Please admit that you endorsed Check No. 7526 in the amount of \$44,000.00.

Request for Admission No. 28

Please admit that you received Check No. 7611, dated on or about May 5, 2006 from EFI ("Check No. 7611") in the amount of \$45,600.00.

Request for Admission No. 29

Please admit that you endorsed Check No. 7611 in the amount of \$45,600.00.

Request for Admission No. 30

Please admit that you received Check No. 8140, dated on or about October 30, 2006 from EFI ("Check No. 8140") in the amount of \$53,500.00.

Request for Admission No. 31

Please admit that you endorsed Check No. 8140 in the amount of \$53,500.00.

Request for Admission No. 32

Please admit that you received Check No. 8236, dated on or about December 7, 2006 from EFI ("Check No. 8236") in the amount of \$33,000.00.

Request for Admission No. 33

Please admit that you endorsed Check No. 8236 in the amount of \$33,000.00.

LAMM RUBENSTONE LLC

By: Deirdre M. Richards
Alan C. Gershenson, Esquire (#09925)
Deirdre M. Richards, Esquire (#57712)
3600 Horizon Boulevard, Suite 200
Trevose, PA 19053-4900
(215) 638-9330 / (215) 638-2867 Fax
Attorneys for Plaintiff
Equipment Finance LLC

DATED: August 26, 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EQUIPMENT FINANCE LLC

v.

CAROLYN HORN d/b/a

CAROLYN HORN USED EQUIPMENT

CIVIL ACTION

NO. 09-2663

CERTIFICATE OF SERVICE

I hereby certify that on the date listed below I served a true and correct copy of the foregoing Plaintiff Equipment Finance LLC's First Set of Requests for Admissions Addressed to Defendant Carolyn Horn d/b/a Carolyn Horn Used Equipment via first-class mail, postage prepaid, upon the following:

Carolyn Horn
d/b/a Carolyn Horn Used Equipment
2177 Horns Valley Road
Talladega, AL 35160

LAMM RUBENSTONE LLC

By: 

Alan C. Gershenson, Esquire (#09925)
Deirdre M. Richards, Esquire (#57712)
3600 Horizon Boulevard, Suite 200
Trevose, PA 19053-4900
(215) 638-9330 / (215) 638-2867 Fax
Attorneys for Plaintiff
Equipment Finance LLC

DATED: August 27, 2009